



MARCH 12, 2013

\*\*\*\*\*

VOLUME V PG 105

STATE OF TEXAS \*  
 COUNTY OF HAYS \*

ON THIS THE 12<sup>TH</sup> DAY OF MARCH A.D., 2013, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

ALBERT H. COBB JR	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR	COMMISSIONER, PCT. 4
LIZ Q. GONZALEZ	COUNTY CLERK

AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Reverend Ben H. Nelson of St. Mark's Episcopal Church gave the invocation and Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**28824 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$ 1,012,404.92 as submitted by the County Auditor. All voting "Aye". MOTION PASSED

**28825 APPROVE COMMISSIONERS COURT MINUTES OF MARCH 5, 2013**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Commissioners Court minutes of March 5, 2013 as presented by the County Clerk. All voting "Aye". MOTION PASSED

**28826 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE STANDARD DOT TITLE VI ASSURANCES AS PART OF REQUIRED DOCUMENTS FOR RECEIPT OF FEDERAL FUNDING ADMINISTERED THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)**

The Standard DOT Title VI Assurances are part of the standard contract documents that must be on file with TxDOT for the receipt of federal financial assistance - in this case for transportation improvements - by the County. Title VI refers to nondiscrimination in programs and services on the grounds of race, religion, color, national origin, sex, age, or disability. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute the Standard DOT Title VI Assurances as part of required documents for receipt of federal funding administered through the Texas Department of Transportation (TxDOT). All voting "Aye". MOTION PASSED

**28827 APPROVE UTILITY PERMITS**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Utility Permits #878 for Avian Drive/Falconwood Drive and Permit # 879 for Harmons Way as submitted by the Road Department. All voting "Aye". MOTION PASSED

**28828 APPROVE OUT OF STATE TRAINING TRAVEL REQUEST FOR CHIEF JAMIE PAGE AND CAPTAIN MARK CUMBERLAND**

The Hays County Sheriff's office would like to send Chief Jamie Page and Captain Mark Cumberland to the American Jail Association Conference and Jail Expo in Grand Rapids, Michigan on May 5-9, 2013. With over 50% of the year remaining, the Sheriff's Office budget will only have 23% of their training budget left. Amount required \$3,900.00 line item number 001-618-00.5551. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to approve Out of State Training Travel Request for Chief Jamie Page and Captain Mark Cumberland. All voting "Aye". MOTION PASSED

**28829 AMEND THE PERSONAL HEALTH DEPARTMENT BUDGET TO INCREASE CONTRACT SERVICES IN THE TUBERCULOSIS PROGRAM**

Contract services budget is needed for continued chest x-ray expenses in the TB program. Amount required \$2,000.00; Decrease Expense Contingencies 120-675-00.5399 (\$2,000); Increase Expense Contract Services 120-675-99-022.5448 \$2,000. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend the Personal Health Department Budget to increase Contract Services in the Tuberculosis Program. All voting "Aye". MOTION PASSED

**28830 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE ONE ADDITIONAL LASER RADAR FOR THE TRAFFIC DIVISION**

In FY13 the Sheriff's Office was approved for one each laser radar in the amount of \$3,450. The Sheriff's Office has identified a laser radar that is less in price and would allow the S.O. to purchase two for the price of one. The shipping fee of \$30.00 is also identified in the g/l due to savings from other budgeted items. The total amount for two lasers is \$3,450 with shipping included. Line item number 001-618-00.5717\_400. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the Sheriff's Office to purchase one addition Laser Radar for the Traffic Division. All voting "Aye". MOTION PASSED

**28831 TRANSFER FUNDS FROM COUNTY WIDE BUDGET TO THE SHERIFF, JAIL BUDGET FOR TECHNOLOGY EQUIPMENT FROM A SECURUS CONTRIBUTION RECEIVED IN FY2012**

In 2012 the Sheriff's Office and Commissioner's Court entered into a 5 year contract with Securus Technology related to the inmate telephone system. As an incentive for entering into this agreement, Securus contributed \$40K to the HCSO for future Technology needs. The remaining funds were not rolled to the FY 2013 budget; however on Oct. 23, 2013 Commissioner's Court agreed to transfer funds to the Sheriff, Jail Division for technology equipment in the amount up to \$20,000. At this time the Sheriff's Office, Jail Division is requesting an amount of \$5,990 to include: 1 each software license for Odyssey Jail Data Export feature. The S.O. signed a contract with Securus to install and provide video visitation for the Jail. The video visitation system will not function without the 'Data Export' feature. Tyler Technologies can provide this function in the Odyssey system. Amount required \$5,990 line item number 001-618-03.5718\_400 Software Operating. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to transfer funds from County Wide budget to the Sheriff, Jail budget for Technology equipment from a Securus contribution received in FY2012. All voting "Aye". MOTION PASSED

**28832 MOVE FUNDS BUDGETED IN THE IT DEPARTMENT TO BUILDING MAINTENANCE RELATED TO VEHICLE EXPENSES TO BE USED FOR THE NEW VEHICLE POOL PROGRAM**

The Development & Community Services Department has rolled out the new Vehicle Pool Program at the Government Center. Vehicles previously assigned to the IT Department are now a part of the programs Fleet. Funds related to vehicle fuel and maintenance will no longer be needed in IT and need to be moved to the Building Maintenance Department as the Systems Coordinator will be monitoring this program. Amount required \$6,523.00; Decrease IT Fuel - 001-680-00.5271 - (\$4,023) Decrease IT Vehicle Maint - 001-680-00.5413 - (\$2,500); Increase Bldg Maint Fuel - 001-695-00.5271 - \$4,023; Increase Bldg Maint Vehicle Maint - 001-695-00.5413 \$2,500. A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to move funds budgeted in the IT Department to Building Maintenance related to vehicle expenses to be used for the new Vehicle Pool Program. All voting "Aye". MOTION PASSED  
An amended motion was made by Commissioner Whisenant, seconded by Commissioner Conley to change the line item number to 5718 per County Auditor. All voting "Aye". MOTION PASSED

**28833 APPROVE REVISED SPECIFICATIONS FOR RFP 2013-P04 FOOD & CATERING SERVICES FOR THE GOVERNMENT CENTER AND AUTHORIZE PURCHASING TO REBID THIS PROJECT, SOLICIT FOR PROPOSAL AND ADVERTISE**

A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to approve revised specifications for RFP 2013-P04 Food & Catering Services for the Government Center and authorize Purchasing to rebid this project, solicit for proposal and advertise. All voting "Aye". MOTION PASSED



MARCH 12, 2013

\*\*\*\*\*

VOLUME V PG 107

**28834 AMEND THE CONTRACT WITH BETTY LAMBRIGHT, DBA AS RIGHT AS RAIN, FOR ADDITIONAL TECHNICAL SERVICES RELATED TO THE JACOB'S WELL NATURAL AREA DEVELOPMENT, AND AMEND THE BUDGET ACCORDINGLY**

On October 17, 2012 the Commissioners Court entered into a Professional Services Agreement with Betty Lambright, dba As Right As Rain, for technical services associated with various projects throughout the county, in an amount not to exceed \$20,000.00. This amendment will add to the Scope of Services an item "to provide technical services associated with the development of the Jacob's Well Natural Area" and increase the Agreement amount by \$5000.00, with a new, not to exceed cost of \$25,000.00. Funding for this increased amount will be provided through grant funds allocated for site development. Amount required \$5,000.00 line item number 001-899-99-407.5448 Contract Services. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to amend the contract with Betty Lambright, dba As Right As Rain, for additional technical services related to the Jacob's Well Natural Area development, and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**28835 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE AN ANNUAL SOFTWARE & MAINTENANCE SUBSCRIPTION FOR MAPSCENES**

The Sheriff's Office is in need of purchasing an annual MapScenes Software & Support Maintenance Subscription. MapScenes is a system utilized by law enforcement to provide investigators with the tools to capture data at a scene and then visually communicate the output of their investigation in accurate diagrams. It is currently utilized by S.O. law enforcement and by purchasing the upgraded software and mtc. Agreement; will allow investigators continued use of this software for crime scenes and traffic accidents. Amount required \$684.00; 001-618-00.5362/CID (\$684.00); 001-680-00.5429/Maintenance \$684.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to Authorize the Sheriff's Office to purchase an Annual Software & Maintenance Subscription for MapScenes. All voting "Aye". MOTION PASSED**

**An amended motion was made by Commissioner Whisenant, seconded by Commissioner Conley to add and amend the budget accordingly per County Auditor. All voting "Aye". MOTION PASSED**

**28836 AMEND THE HAYS COUNTY PROPERTY USE POLICY TO 1) SUPPLEMENT THE LIST OF COUNTY-OWNED PROPERTIES IN SECTION E, AND 2) TO CLARIFY THE AUTHORITY GRANTED TO THE DESIGNATED AUTHORITIES IN SECTION E**

With the move into the Precinct 2 buildings, we now have 2 additional buildings that might be used, from time to time, by 3rd parties. Since the Policy needed to be amended to include these properties, counsel also believes the authorities granted to those individuals listed in Section E (e.g. to execute License Agreements and other similar agreements that do not have significant fiscal implications) should be clarified. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to amend the Hays County Property Use Policy to 1) Supplement the list of County-Owned properties in Section E, and 2) to clarify the authority granted to the designated authorities in Section E. All voting "Aye". MOTION PASSED**

**28837 MOVE FUNDS FROM BUILDING MAINTENANCE AND CONTINGENCIES TO THE CONSTABLE PCT. 5 BUDGET FOR XEROX MONTHLY LEASE EXPENSE**

The Xerox that was located at the Constable 5 Office has been shared with the Tax Office substation prior to their combining sub-stations into one location at the new Pct 2 Building. The Tax Office was paying the lease for the machine and the Constable was providing the supplies. Since the Tax Office moved the Xerox with them, the Constable is in need of a copy, fax, printer for their office. The County is already in a lease with the machine that was located in the Govt Center mail room, with little usage (old Compliance Copier that Bldg Maint took over). That machine was moved to the Constable 5 Office and will now be charged to their budget. Some funds were identified in the Building Maintenance budget where it was previously being charged and the remaining funds will be moved from County-Wide contingencies. Amount required \$1,490.00; Decrease Bldg Maint Equipment Lease (\$700); Decrease Co-Wide Contingency (\$790); Increase Const 5 Equipment Lease \$1,490. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to move funds from Building Maintenance and Contingencies to the Constable Pct. 5 Budget for Xerox monthly lease expense. All voting "Aye". MOTION PASSED**

**28838 MOVE FUNDS FROM SHERIFF OPERATING TO THE SO MARY BONNER GRANT CONTINUING EDUCATION FOR THE VICTIM'S ADVOCATE TRAINING**

Funds were contributed to the Sheriff's Office for Victim's Advocate training that were not fully expensed in Y12. These funds need to be moved from the Sheriff Operating to the grant cost center so the training can be charged to the grant. Amount required \$71.00; Decrease Sheriff Cont Ed - 001-618-00.5551 (\$71); Increase Misc Grant Cont Ed - 001-618-99-899.5551 \$71. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to move funds from Sheriff Operating to the SO Mary Bonner Grant continuing education for the Victim's Advocate training. All voting "Aye". MOTION PASSED**



**28839 APPROVE THE HIRING OF TWO DISTRICT COURT BAILIFFS AND ONE CHIEF DISTRICT COURT BAILIFF AS AUTHORIZED BY COURT ORDER OF THE 22ND, 207TH, 274TH AND THE 428TH JUDICIAL DISTRICT COURTS OF HAYS COUNTY, TEXAS**

Section 53.002 (j) of the Texas Government Code authorizes the Hays County District Courts to appoint bailiffs. Two (2) District Court Bailiff positions and one (1) Chief District Court Bailiff position will be created by Court Order of the 22nd, 207th, 274th and the 428th Judicial District Courts of Hays County, Texas. Funds to transition into the newly created bailiff job descriptions on 1/1/13 were budgeted during the FY2013 budget process. Savings within the positions are available to hire existing staff at a higher salary due to the 2 month vacancy. Budgeted item number 001-608-00 - District Court salary & fringe; 107-608-00 - Courthouse Security salary & fringe. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the hiring of two District Court Bailiffs and one Chief District Court Bailiff as authorized by court order of the 22nd, 207th, 274th and the 428th Judicial District Courts of Hays County, Texas. All voting "Aye". MOTION PASSED**

**28840 ACCEPT A DONATION IN THE AMOUNT OF \$200.00 TO THE HAYS COUNTY JUVENILE CENTER AND AMEND THE BUDGET ACCORDINGLY**

The Hays County Juvenile Center received a donation in the amount of \$200 and request to deposit into line item 070-685-00.5205 for the use of purchasing shoes for residents. Increase Misc Revenue: 070-685-00.4630; Increase Inmate Supplies: 070-685-00.5205. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to accept a donation in the amount of \$200.00 to the Hays County Juvenile Center and amend the budget accordingly All voting "Aye". MOTION PASSED**

**28841 APPROVE A 20 HOURS/WEEK DEPUTY CONSTABLE POSITION WITHIN THE PRECINCT 3 CONSTABLE'S OFFICE FUNDED BY THE CITY OF WOODCREEK FOR TRAFFIC CONTROL AND AMEND THE BUDGET ACCORDINGLY**

An Interlocal Agreement between Hays County and the City of Woodcreek was approved during the March 5, 2013 Commissioners Court meeting. The agreement allows the Hays County Precinct 3 Constable's Office to provide traffic enforcement within the City of Woodcreek. The City of Woodcreek will pay an annual fee to Hays County which will cover the cost of the half time deputy to patrol during specific times. Increase Intergovernmental Revenue: (\$15,353); Increase Staff Salaries: 11,570; Increase Uniform Allowance: 195; Increase FICA: 730; Increase Medicare: 171; Increase Retirement: 1,332; increase Fuel: 1,355. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve a 20 hours/week Deputy Constable position within the Precinct 3 Constable's office funded by the City of Woodcreek for traffic control and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**28842 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS IN LEISUREWOODS SUBDIVISION**

Judge Cobb opened public hearing. No public input. Judge Cobb closed public hearing. Jerry Borcharding Transportation Director spoke. This will be to establish: a 3-way stop at the intersection of Pine Siskin Drive and Willet Drive and a 3-way stop at the intersection of Pine Siskin Drive and Verdin Drive in Leisurewoods subdivision. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a 3-way stop at the intersection of Pine Siskin and Willet Drive and a 3-way stop at the intersection of Pine Siskin Drive and Verdin Drive in Leisurewoods Subdivision. All voting "Aye". MOTION PASSED**

**28843 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS AT THE INTERSECTION OF MARTIN ROAD AND MCGREGOR LANE**

Commissioner Whisenant spoke of postponing this item due to many interests by the citizens on this intersection and inconsideration of the design corporation. A public hearing was held on March 7<sup>th</sup> and doing some more traffic study and would like to set a notice of a public hearing soon. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to pull this item and to establish a public hearing at a later date. All voting "Aye". MOTION PASSED**



**28844 CALL FOR A PUBLIC HEARING ON APRIL 9, 2013 TO DISCUSS POSSIBLE CANCELLATION OF A PORTION OF THE RESUBDIVISION OF A PORTION OF JACOBS WELL ACRES**

Roxie McInnis Development Services Manager spoke. The Resubdivision of a Portion of Jacob's Well Acres is a 304 lot residential subdivision located off of Mt. Sharp Road in precinct 3. The subdivision was platted in 1959 but was never developed. The proposed cancellation will convert 128 of those lots (Lots 5-36, Block A; Lots 5-36, Block B; Lots 5-36, Block C; and Lots 5-36, Block D) back to acreage. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to call for a public hearing on April 9, 2013 to discuss possible cancellation of a portion of the Resubdivision of a Portion of Jacobs Well Acres. All voting "Aye". MOTION PASSED**

**28845 ADOPT, AND AUTHORIZATION FOR THE COUNTY JUDGE TO SIGN, A TITLE VI NONDISCRIMINATION POLICY STATEMENT FOR HAYS COUNTY**

Jeff Hauff, Hays County Grants Administrator spoke. All recipients of federal financial assistance are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 and related statutes. Associated with this, recipients must also develop a Title VI Policy Statement that expresses the commitment to Title VI nondiscrimination requirements. Hays County has and will receive federal funding through grants and other mechanisms that support the provision of services by the County. Several Hays County departments have developed written nondiscrimination policies contained within their internal operating procedures manuals or, as in the case of the Purchasing Office, produced a brief statement of nondiscrimination inserted in solicitations for bids and/or contracts. While this has accommodated the basic requirements of compliance with federal laws in the past, a broader, more explicit statement of policy - adopted at the highest level of County government - would be of benefit to all operations that function under the umbrella of Hays County. A recent Title VI compliance review by the Texas Department of Transportation (TxDOT), associated with federal funds passed through TxDOT for Hays County road projects, noted that a comprehensive Title VI Nondiscrimination Policy Statement needed to be developed by Hays County to address Title VI compliance requirements. **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adopt, and authorization for the County Judge to sign, a Title VI Nondiscrimination Policy Statement for Hays County. All voting "Aye". MOTION PASSED**

**DISCUSSION REGARDING HAYS COUNTY CIVIC CENTER OPERATIONS AND USE**

Commissioner Jones spoke of the giving an update of the use of the Civic Center. He also spoke of appointing a Committee and get together on the 1<sup>st</sup> of April. Also, Commissioner Jones asked Clint Garza Director of Development and Community Services, Chief of Staff Lon Shell and Special Counsel Mark Kennedy to be technical advisors in this Committee. There will be 13 to 14 people serving this committee. Court took no action.

**28846 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A GENERAL AND NO LITIGATION CERTIFICATE OF HAYS COUNTY, RELATED TO THE ISSUANCE OF NOT MORE THAN \$15 MILLION IN BONDS BY CAPITAL AREA HOUSING FINANCE CORPORATION FOR SIENNA POINTE APARTMENTS, TO BE LOCATED IN SAN MARCOS, TEXAS**

Special Council Mark Kennedy spoke. The General Certificate must be submitted by Capital Area Housing Finance Corporation (CAHF Corp.) to the Texas Attorney General. It represents a simple statement from the County Judge regarding the "good standing" and status of CAHF Corp. It does not "authorize" the issuance of the bonds, nor does it implicate Hays County as a participant in the issuance of these bonds. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a General and No Litigation Certificate of Hays County, related to the issuance of not more than \$15 Million in bonds by Capital Area Housing Finance Corporation for Sienna Pointe Apartments, to be located in San Marcos, Texas. All voting "Aye". MOTION PASSED**

**28847 APPROVE SECURING AND ADMINISTERING A SEPARATE WEB SITE TO USE FOR PROVIDING CONSOLIDATED REAL-TIME EMERGENCY INFORMATION TO THE PUBLIC FROM JURISDICTIONS THROUGHOUT HAYS COUNTY**

Commissioner Conley spoke of an active shooter that was in the Wimberley area about a month ago and how well everyone first responders came together and got the situation under control quickly. Since then all the first responders have been meeting and trying to help resolve certain issues. Laureen Chernow Hays County Public Information Officer spoke. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve securing and administering a separate web site to use for providing consolidated real-time emergency information to the public from jurisdictions throughout Hays County and bring back suggestions for the Courts consideration and in an amount not to exceed \$160 for 2 years, out of Emergency Management Services/Contract Services line item. All voting "Aye". MOTION PASSED**





**28848        ADOPT A RESOLUTION IN SUPPORT OF THE CREATION OF A CAPITAL AREA  
911 DISTRICT**

Betty Voights Executive Director of CAPCOG spoke. A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to adopt a resolution in support of the creation of a Capital Area 911 District. All voting "Aye". MOTION PASSED

**WORKSHOP TO DISCUSS WATER RATE ISSUES AND LEGISLATION THAT IS PROPOSED ON  
THIS SUBJECT**

Commissioner Conley spoke of legislation relating to water rate issues. David Frederick of Lowerre, Frederick, Perales, Allmon and Rockwell spoke of the proposed Legislation both in the House and Senate. The bill numbers are HB 1456 and SB 567. Debra Carter from Amberwood Community in Kyle Nina Freeman also from the Amberwood Community and Peggy Jones spoke. Commissioner Conley submitted an email from Diane Hervol Mayor Pro Tem, City of Kyle, and President of the Amberwood Subdivision.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS  
GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL  
INDIVIDUAL POSITIONS FOR THE CIVIL DIVISION OF THE HAYS COUNTY DISTRICT  
ATTORNEY'S OFFICE**

Court convened in Executive Session at 12:36 p.m. and reconvened in open court at 12:40 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell and Clint Garza Director of Development and Community Services. No Action taken

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS  
GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE  
PURCHASE, EXCHANGE, OR VALUE OF REAL PROPERTY RELATED TO THE MARKETING AND  
POTENTIAL SALE OR LEASE OF COUNTY OWNED PROPERTIES**

Court convened in Executive Session at 12:45 p.m. and reconvened in open court at 1:00 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell and Clint Garza Director of Development and Community Services. No Action taken.

**28848        EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE  
TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND  
DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS WITHIN THE HAYS  
COUNTY TRANSPORTATION DEPARTMENT**

Court convened in Executive Session at 11:58 a.m. and reconvened in open court at 12:35 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell, and Dee Dee Baen Human Resources Director and Clint Garza Director of Development and Community Services. A motion was made by Commissioner Jones, seconded by Commissioner Conley to double fill the Road Maintenance Superintendent, slot 1027-001, within the Transportation Department, for a period not exceed six weeks, and authorize the position to be filled up to the 50<sup>th</sup> percentile. All voting "Aye". MOTION PASSED

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS  
GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING  
ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT REBOUND**

Court convened in Executive Session at 1:00 p.m. and reconvened in open court at 1:02 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, Special Counsel Mark Kennedy, Chief of Staff Lon Shell and Clint Garza Director of Development and Community Services. No Action taken.

**ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Judge Cobb spoke of the Index currently being at 501 and climbing and on advisement from the Fire Marshall the Burn Ban will remain in effect.

**County Clerk's Note Agenda Item #33 RE: DISCUSSION OF ISSUES RELATED TO PROPOSED CAPITAL CONSTRUCTION PROJECTS IN HAYS COUNTY, INCLUDING BUT NOT LIMITED TO THE GOVERNMENT CENTER; THE PRECINCT 2 FACILITY PROJECT; AND THE LAW ENFORCEMENT CENTER IMMEDIATE NEEDS PROJECT – was pulled**



MARCH 12, 2013

\*\*\*\*\*

VOLUME V PG 111

**DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES AND ALLEN CROZIER, HDR**

Mike Weaver gave a brief Powerpoint presentation on Pass Through Financing Program – Construction Summary Report for March 2013. He spoke of: completed projects, projects in design, Yarrington Bridge (at IH 35), FM 1626 South (FM 2770 to FM 967). Precinct No. 1 – IH 35 Phase 2A (FM 150 Realignment), FM 110 (McCarty Lane to SH 123). Precinct No. 2 – IH 35 Phase 2B (FM 1626 to Yarrington), FM 1626 North (FM 967 to Brodie Ln). Precinct No. 3 . Precinct No. 4 – US 290 (Nuty Brown Rd to Trautwein Rd).

**County Clerk's Note Agenda Item #35 RE:** *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY – was pulled*

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court.

---

I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on March 12, 2013.



---

LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO  
CLERK OF THE COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS

